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November 20, 2018

BY ECF & EMAIL

Judge Paul Oetken
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2104
New York, New York 10007

Email: OetkenNYSDChambers@nysd.uscourts.gov

**National Union Fire Insurance Company of Pittsburgh, Pa., American Home
Assurance Company and The Insurance Company of the
State of Pennsylvania (collectively, "National Union") v.
BMC Stock Holdings, Inc. ("BMC")
Case No.: 1:18-cv-05777-JPO**

Dear Judge Oetken:

We write as counsel to National Union to submit this joint status report with the consent of counsel for BMC in response to the Court's November 16, 2018 order directing the parties to "file a joint status letter informing the Court of the present status of the California action on or before November 26, 2018."

A motion to stay the California action (CDCA 2:18-cv-04726) was filed by National Union in accordance with this Court's July 3, 2018 Order that "[t]o the extent that Petitioners wish to stay the action filed by Respondent in the United States District Court for the Central District of California, they should file a motion to do so in that Court" (Docket No. 14). That motion was fully submitted and set for a hearing on August 27.

On August 21, 2018, the California Court issued an order providing that "[t]he hearing on the MOTION TO STAY CASE [Dkt. No. 27], scheduled for August 27, 2018 at 1:30 P.M., is hereby VACATED and taken off calendar. No appearances are necessary. The matter stands submitted and will be decided upon without oral argument. An order will issue." CACD case no. 2:18-cv-04726, Dkt. No. 32. There has been no

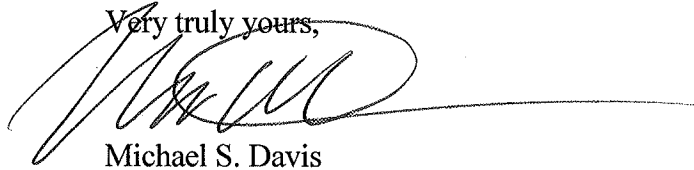
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further docket entry or other comments in the California action since Dkt. No. 32 on August 21, 2018.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Michael S. Davis', with a long horizontal line extending to the right.

Michael S. Davis

MSD:akc

cc: Allen R. Wolff, Esq., Anderson Kill P.C. (by email)
Ethan W. Middlebrook, Esq., Anderson Kill P.C. (by email)
Bridget B. Hirsch, Esq., Anderson Kill California, L.L.P. (by email)